

**PUBLIC NOTICE
CITY OF PROVIDENCE
ZONING BOARD OF REVIEW
190 DYER STREET
PROVIDENCE, RHODE ISLAND 02903-3902**

JULY 8, 2008

Notice is hereby given that the Zoning Board of Review will be in session in the Probate Court Room, fifth floor, City Hall (25 Dorrance Street) on Tuesday, July 22, 2008 at 5:30 P.M. and 7:00 P.M. when all persons interested will be heard for or against the granting of the following applications for variances and special use permits under Section 902 of the Zoning Ordinance:

5:30 P.M.

LADDER REALTY, INC., OWNER AND METRO PCS MASSACHUSETTS, LLC, APPLICANT AND LESSEE: 74 Maria Avenue, Lot 380 on the Tax Assessor's Plat 114 located in a Residential R-1 One-Family Zone. The applicant is requesting a special use permit pursuant to Section 303-use code 65.1 in the proposed installation of six telecommunication panel antennas to the existing communication tower. Related equipment would be installed at ground level within a fenced enclosure. The lot in question contains approximately 4,404 square feet of land area.

ALAN R. COSTANTINO: 263-265 Atwells Avenue (at DePasquale Plaza), Lot 363 on the Tax Assessor's Plat 28 located in a General Commercial C-2 Zone; to be relieved from Section 303-use codes 57.1 & 58 in the proposed expansion of the existing restaurant to include up to 40 additional seats and the inclusion of entertainment. Separate and apart from the request for a special use permit, relief is sought from the parking requirement at Section 703.2, a dimensional variance, whereby the expanded seating requires up to 10 parking spaces, only if the restaurant utilizes the maximum 40 seats. The lot in question contains approximately 4,461 square feet of land area.

ARC REAL ESTATE HOLDINGS, LLC: 11 Africa Street & 81-83 & 85-87 DePasquale Avenue, Lots 865, 790 & 791 on the Tax Assessor's Plat 28 located in a Residential R-3 Three-Family Zone and General Commercial C-2 Zone. The applicant is requesting a special use permit pursuant to Sections 303-use code 64.1 and 419.6 in the proposed use of Lot 865 (11 Africa St.), which is located within an R-3 district, for parking to support a neighboring residential use. Lots 791 and 790 (81-83 & 85-87 DePasquale Ave. respectfully) are located within a C-2 district, which permits parking lots as of right; therefore, require no Board action but are included within this application because automobiles entering onto the Africa Street lot will be permitted to exit through lots 790 and 791 onto DePasquale Ave. All lots together contain approximately 8,417 square feet of land area.

DIRECT ACTION FOR RIGHTS & EQUALITY (DARE): 340 Lockwood Street (a/k/a 1-5 Hayward Street), Lot 349 on the Tax Assessor's Plat 29 located in a Residential R-3 Three-Family Zone; to be relieved from Sections 304 and 704.2 in the proposed change in the use of the existing building from a health clinic to a community center and the construction of a new single-story addition, 20' x 36'. The proposed use is permitted within the R-3 district. The applicant is requesting a dimensional variance from regulations governing side yard setback and the paving restriction. This proposal exceeds the parking requirement. The lot in question contains approximately 10,014 square feet of land area.

**APPEAL FROM THE DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF INSPECTION AND STANDARDS**

Owners/Appellants: Manuel F. & Cecilia Cigarilha

Property Location: 24-26 Farragut Avenue

Zoning District: Residential R-2 Two-Family Zone

The Director has determined that the legal use of the subject property is a two-family structure. The Appellants contend that property is a legal non-conforming use pursuant to Section 200.1 of the Zoning Ordinance. The lot in question contains approximately 3,216 square feet of land area.

MARTINGAYLE PROPERTIES, LLC: 163-165 Medway Street, Lot 149 on the Tax Assessor's Plat 15 located in a Residential R-3 Three-Family Zone; to be relieved from Section 704.2 in the proposed expansion of the existing front yard paving in order to provide for one additional parking space. The widening of the parking area would accommodate 5 vehicles. The legal use of the property is a two-family structure. Relief is being sought from regulations governing the front yard paving restriction. The lot in question contains approximately 6,405 square feet of land area.

7:00 P.M.

TALON REALTY LIMITED PARTNERSHIP AND THE PROVIDENCE HOUSING AUTHORITY, PROPERTY OWNERS AND TALON REALTY LIMITED PARTNERSHIP, APPLICANT: 21 & 32 Federal Street at Bradford Street. The applicant is requesting relief from Sections 305, 305.1(10), 418, 420.2 and 425, a dimensional variance, and seeks relief from regulations governing maximum height, minimum lot area per dwelling unit, building lines and articulations and corner setback in order to construct a new building measuring 250 feet in height on the Tax Assessor's Plat 25, Lot 7 and Parcel B-1 of a previously obtained subdivision (formerly a 4,206 square foot portion of land on the Tax Assessor's Plat 26, Lot 59) and over that portion of Federal Street between the two lots. This proposal is for 174 residential units with approximately 4,100 square feet of retail space predominately to

support the residences, a function room and fitness center for the residents only and 345 parking spaces, 50 of which will be reserved for the Dominica Manor (Lot 59). The maximum height permitted is 45 feet and the minimum lot area per dwelling unit requirement is 1,200 square feet per unit, therefore the requirement for 174 units is 208,800 square feet of land area. The subject property measures a total of 9,626 square feet of land area, not counting the 4,748 square feet air rights component. The applicant proposes to meet the requirements of Section 425 (canopy coverage) off site.

RHODE ISLAND STATE PIER PROPERTIES, LLC: 164-170 Allens Avenue, Lot 481 on the Tax Assessor's Plat 46 located in a W-3 Waterfront Port/Maritime Industrial District; to be relieved from Sections 303-use code 33.3 (transient amusement), 303-use code 33.4 (outdoor entertainment), 303-use code 64.1 (parking lot, principal use), 303-use code 52 (outdoor trade), 425 (landscaping) and 705.4 (paving - parking areas) in the proposed use of the aforementioned parcel for parking spaces for up to 225 vehicles as a primary use. Parking as a primary use is permitted if the use is part of a marine enterprise or dependent on access to the Port of Providence. The proposed outdoor entertainment may include a carousel, antiques and farmers' markets, and outdoor festivals. The applicant is

requesting a use variance for the transient amusement, outdoor entertainment, parking lot, trade-antiques & farmers' markets; and a dimensional variance relating to regulations governing landscaping and paving. The lot in question contains approximately 305,232 square feet of land area.

THIS MEETING MAY BE CONTINUED FROM DAY TO DAY AND TIME TO TIME AT THE DISCRETION OF THE ZONING BOARD OF REVIEW.

THIS MEETING IS ACCESSIBLE TO ALL PERSONS. INDIVIDUALS REQUESTING INTERPRETER SERVICES MUST NOTIFY THE OFFICE OF NEIGHBORHOOD SERVICES AT (401) 421-7768, 48 HOURS IN ADVANCE OF THE HEARING DATE.

ESTA REUNION PUEDE SER CONTINUADA EN CUALQUIER MOMENTO BAJO LA DISCRECTION DE LA JUNTA DE REVISIONES DE ZONA.

LA INFORMACION DE ESTA REUNION ESTA DISPONIBLE PARA TODAS LAS PERSONAS E INDIVIDUOS QUE REQUIERAN SERVICIOS DE INTERPRETE, LLAME A LA OFICINA DE SERVICIOS VECINDALES AL (401) 421-7768, POR LO MEMOS 48 HORAS ANTES DE SU FECHA DE JUICIO.

PETER D. CARNEVALE, SECRETARY

(401) 421-7740 EXT. 376